

# Town of Lancaster

**TOWN PLANNING BOARD  
21 Central Avenue  
Lancaster, New York 14086**

**March 15, 2023**

**Planning Board Members:**

**Carlo DiRienzo, Chair  
Rebecca Anderson  
John Copas  
Anthony Gorski  
Joseph Keefe  
Lawrence Korzeniewski  
Michael Reinhold**

**Town Board Members:**

**Ronald Ruffino, Sr., Supervisor  
Mark Burkard  
Adam Dickman  
Robert Leary  
David Mazur**

**Engineering Consultant:**

**Ed Schiller, Wm. Schutt & Associates**

**Town Attorney:**

**Thomas E. Fowler, Jr.**

**Town Highway Superintendent:**

**John Pilato**

**Building & Zoning Inspector:**

**Matthew Fischione**

**Gentlemen/Ladies:**

**Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held March 15, 2023. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting and may be amended before approval.**

**Sincerely yours,**

**Carlo DiRienzo  
Planning Board Chair**

**CD:cm  
Encl.**

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Town Hall, 21 Central Avenue, Lancaster, NY, on the 15<sup>th</sup> day of March 2023 at 7:00 P.M. and there were present:

**PRESENT:** Carlo DiRienzo, Chair  
Rebecca Anderson, Member  
John Copas, Member  
Anthony Gorski, Member  
Joseph Keefe, Member  
Lawrence Korzeniewski, Member

**EXCUSED:** Michael Reinhold, Member  
Council Member Mazur

**ABSENT:** None

**ALSO PRESENT:** None

**Town Board Members:** None

**Other Elected Officials:** None

**Town Staff:** Emily Orlando, Deputy Town Attorney  
Ed Schiller of Wm. Schutt & Assoc.  
Matt Fischione, Code Enforcement Officer  
Cyndi Maciejewski, Secretary

Meeting called to order by Chair DiRienzo at 7:00p.m.

Pledge of Allegiance led by Chair DiRienzo.

Minutes-A motion was made by Chair DiRienzo to approve the minutes from the February 15, 2023 Planning Board Meeting. Motion seconded by Anthony Gorski.

Roll call as follows:

Chairman DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Excused

Anthony Gorski-Yes

**Motion carried.**

## TOWN OF LANCASTER PLANNING BOARD

### COMMUNICATIONS LIST

March 15, 2023

3.15.01 Letter from Matt Fischione, Code Enforcement Officer, to Matt DiBrito informing applicant of Project #2015 (5550 Genesee Street) their application is incomplete.

3.15.02 Email from Tom Fowler, Town Attorney to Planning Board Chairman and Secretary explaining why 6218 Broadway should be on current agenda.

3.15.03 Email from Matt Fischione, Code Enforcement Office, to Councilmember Mazur providing a list of all the outstanding projects and subdivisions still awaiting Planning Board Action.

3.15.04 Letter dated 3/3/23 from Matt Fischione, Code Enforcement Officer, to Planning Board Members regarding 5680 Broadway, Site Plan Amendment.

3.15.05 Letter dated 3/10/23 from Ed Schiller, Town Engineer, to Planning Board Members regarding 5680 Broadway, Site Plan Amendment.

3.15.06 Letter dated 3/13/23 from Ed Schiller, Town Engineer, to Planning Board Members regarding 3857 Walden Avenue, Tool Ranch.

3.15.07 Letter dated 3/10/23 from Matt Fischione, Code Enforcement Officer, to Planning Board regarding 3857 Walden Avenue, Tool Ranch.

# **Planning Board Minutes**

## **SEQR Review**

**March 15, 2023**

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15<sup>th</sup> day of March 2023 at 7:05p.m. and there were

**PRESENT:** REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN COPAS, PLANNING BOARD MEMBER  
ANTHONY GORSKI, PLANNING BOARD MEMBER  
JOSEPH KEEFE, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
CARLO DIRIENZO, PLANNING BOARD CHAIR

**EXCUSED:** MICHAEL REINHOLD, PLANNING BOARD MEMBER  
DAVID MAZUR, COUNCILMEMBER

**ALSO PRESENT:** EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
CYNDI MACIEJEWSKI, SECRETARY

### **PURPOSE OF MEETING:**

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE  
BANASIK SITE PLAN  
LOCATED AT 6218 BROADWAY (S.B.L. #117.00-1-1)**

The Planning Board reviewed the Full Environmental Assessment Form on the Site Plan and discussed the impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Town Board  
21 Central Avenue  
Lancaster, New York 14086  
Thomas E. Fowler, Jr., Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed project affects 1.15 acres of land.

The location of the premises being reviewed is 6218 Broadway, Town of Lancaster, New York 14086, Erie County.

This project described as a small commercial building affects .6 - .9 acre physically disturbed area.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED  
BY MEMBER KEEFE, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER  
GORSKI ,  
TO WIT:**

**REASONS SUPPORTING RECOMMENDATION**

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – No impact.**
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact -This corner previously had two homes located on it.**
- 9. Impact on Aesthetic Resources – No impact**
- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).**
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**

- 15. Impact on Noise, Odor and Light – No impact**
- 16. Impact on Human Health – No impact**
- 17. Consistency with Community Plans – No impact.**
- 18. Consistency with Community Character – No impact.**

and,

**BE IT FURTHER**

**RESOLVED**, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	EXCUSED
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

**The Motion to recommend was thereupon adopted.**

March 15, 2023

**Discussion**

This is the rezoning of the parcel and site plan for the construction of an 8,000 sq ft commercial building to be used as office space and storage of the property owners personal vehicles. A setback variance is required, SEQR is needed prior to applicants determination from the Zoning Board of Appeals. The dumpster that was originally located over a pipe has been relocated off of the pipe and toward the building. There are no window, doors or lights on the rear of the building.

# **Planning Board Minutes**

## **SEQR Review**

**March 15, 2023**

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15<sup>th</sup> day of March, 2023 at 7:17p.m. and there were

**PRESENT:** REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN COPAS, PLANNING BOARD MEMBER  
ANTHONY GORSKI, PLANNING BOARD MEMBER  
JOSEPH KEEFE, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
CARLO DIRIENZO, PLANNING BOARD CHAIR

**EXCUSED:** MICHAEL REINHOLD, PLANNING BOARD MEMBER  
DAVID MAZUR, TOWN COUNCILMEMBER

**ALSO PRESENT:** EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

### **PURPOSE OF MEETING:**

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE  
GENESEE PARK LANE DEVELOPMENT  
5429 GENESEE STREET (S.B.L. 82.19-3-1.111)**

The Planning Board reviewed the Short Environmental Assessment Form with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled "Part 2 Impact Assessment" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted** action, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Town Board  
21 Central Avenue  
Lancaster, New York 14086  
Thomas E. Fowler Jr., Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 5.56 acres.

The location of the premises being reviewed is 5429 Genesee Street, Lancaster, New York 14086, Erie County.

This project described as a mixed use of apartments and retail with 4.45 acre physically disturbed area.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER COPAS, WHO MOVED ITS ADOPTION, SECONDED BY LAWRENCE KORZENIEWSKI,**

**TO WIT:**

**REASONS SUPPORTING RECOMMENDATION**

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact**
3. Will the proposed action impair the character or quality of the existing community? **No impact**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**
7. Will the proposed action impact existing:



- a. Public/private water supplies? **No impact**
- b. Public/private wastewater treatment utilities? **No impact**
- 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact**
- 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? **No impact.**
- 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
- 11. Will the proposed action create a hazard to environmental resources or human health? **No impact**

and,

**BE IT FURTHER**

**RESOLVED**, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	EXCUSED
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

The Motion to recommend was thereupon adopted.

March 15, 2023

**SITE PLAN REVIEW – Project #1863, GENESEE PARK LANE DEVELOPMENT, S.B.L. 82.19-3-1.111, LOCATED AT 5429 GENESEE STREET. DEMO SEVERAL EXISTING STRUCTURES AND CONSTRUCT NEW BUILDINGS FOR RETAIL AND APARTMENTS. PARKING LOTS, ACCESS DRIVE, STORMWATER MANAGEMENT FACILITIES, SIDEWALK AND PUBLIC UTILITIES.**

Michael Yaeger discussed the Revised Site Plan which has eliminated one variance by splitting one of the apartment buildings into two buildings and is working on a plan to avoid the second variance. Mr. Yaeger had a discussion with NYS DOT regarding sidewalks. He stated that he was advised not to install sidewalks until a traffic study was conducted by the DOT and the possibility of a turning lane being added in the area where sidewalks may be laid. There is no

specific location for the sidewalks at this time and if the sidewalks were installed and had to be moved as per the DOT, they (DOT) would be responsible for the cost. Maintenance of the sidewalks, when able to be installed, are the property owners responsibility. A letter from the DOT is required to proceed with the discussion. The second entrance along Genesee Street will be removed as per the request of the DOT.

**DETERMINATION**

A motion was made by Rebecca Anderson to table the Site Plan for Genesee Park Lane Development based on the need for revised plans which need to include sidewalk placement. Motion seconded by Chair DiRienzo.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Excused

Anthony Gorski-Yes

**Motion carried.**

**REVISED SITE PLAN REVIEW – PROJECT #1143, PLUMB CREEK APARTMENTS LOCATED AT 5680 BROADWAY. CONSTRUCTION OF A MULTI UNIT APARTMENT COMPLEX. CONSTRUCTION OF AN ANCILLARY 6-CAR GARAGE. APARTMENTS TO BE 126’ LONG X 60’ WIDE WITH 10 UNITS. GARAGES TO BE 112’ LONG X 24’ WIDE TO HOLD 6 VEHICLES.**

Jason Havens was not in attendance. Matt Fischione, Code Enforcement Officer did verify that the building is now out of the floodplain.

**DETERMINATION**

A motion was made by Joseph Keefe to table the Revised Site Plan for Plumb Creek Apartments until the April 5th Planning Board meeting and be placed first on the agenda the Revised Site Plan for Plumb Creek Apartments. Motion seconded by Rebecca Anderson.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Excused

Anthony Gorski-Yes

**Motion carried.**

# **Planning Board Minutes**

## **SEQR Review**

**March 15, 2023**

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15<sup>th</sup> day of March 2023 at 7:39 p.m. and there were

**PRESENT:** REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOHN COPAS, PLANNING BOARD MEMBER  
ANTHONY GORSKI, PLANNING BOARD MEMBER  
JOSEPH KEEFE, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
CARLO DIRIENZO, PLANNING BOARD CHAIR

**EXCUSED:** DAVID MAZUR, COUNCILMEMBER  
MICHAEL REINHOLD, PLANNING BOARD MEMBER

**ALSO PRESENT:** EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
CYNDI MACIEJEWSKI, SECRETARY

### **PURPOSE OF MEETING:**

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE  
EDGEWATER EAST**

**LOCATED AT 6026 BROADWAY (S.B.L. #116.00-2-11.1)**

The Planning Board reviewed the Full Environmental Assessment Form on the Site Plan and discussed the impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Town Board  
21 Central Avenue  
Lancaster, New York 14086  
Thomas E. Fowler, Jr., Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed project affects 4.72 acres of land.

The location of the premises being reviewed is 6026 Broadway, Town of Lancaster, New York 14086, Erie County.

This project described as an apartment development affects 4.72 acre physically disturbed area.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED  
BY MEMBER KORZENIEWSKI, WHO MOVED ITS ADOPTION, SECONDED BY  
MEMBER KEEFE,  
TO WIT:**

**REASONS SUPPORTING RECOMMENDATION**

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – No impact.**
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact**
- 9. Impact on Aesthetic Resources – No impact**
- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).**
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**
- 15. Impact on Noise, Odor and Light – No impact**
- 16. Impact on Human Health – No impact**
- 17. Consistency with Community Plans – No impact.**

**18. Consistency with Community Character – No impact.**

and,

**BE IT FURTHER**

**RESOLVED**, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
MICHAEL REINHOLD, PLANNING BOARD MEMBER	EXCUSED
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

**The Motion to recommend was thereupon adopted.**

March 15, 2023

Sean Hopkins, Joe Young and Jonathan Barniak reviewed the project that needs to appear in front of the Zoning Board of Appeals for variances.

**Other items discussed:**

Matt Fischione, Code Enforcement Officer, did a review of outstanding projects back to 2017 and updated a spreadsheet to use going forward.

Matt Fischione, CEO, viewed the Planning and Zoning software/program which would be used to log and track projects, even direct them to other boards such as ZBA. This is a possible item to budget for in the 2024 fiscal year. Currently Matt is working on a Web Portal to allow electronic submittals and payments.

Please check the county website to register for trainings.

The Site Plan and Subdivision applications need revisions and Matt is open to discussion on the number of copies that need to be supplied for review.

Siebert Road and 5680 Siebert Road are both open projects but Siebert Road from CMK Builders does need scoping regarding the Positive Declaration declared and the contractor has been inundated with other projects.

Motion made by Chair DiRienzo at 8p.m. to adjourn the meeting. Seconded by Lawrence Korzeniewski. Motion carried.